

Calendar No. 176

111TH CONGRESS
1ST SESSION

S. 1772

To require that all legislative matters be available and fully scored by CBO 72 hours before consideration by any subcommittee or committee of the Senate or on the floor of the Senate.

IN THE SENATE OF THE UNITED STATES

OCTOBER 8, 2009

Mr. BUNNING introduced the following bill; which was read the first time

OCTOBER 13, 2009

Read the second time and placed on the calendar

A BILL

To require that all legislative matters be available and fully scored by CBO 72 hours before consideration by any subcommittee or committee of the Senate or on the floor of the Senate.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PUBLIC AVAILABILITY OF LEGISLATION AND**
2 **THE COST OF THAT LEGISLATION.**

3 (a) COMMITTEES.—Rule XXVI of the Standing Rules
4 of the Senate is amended by inserting at the end thereof
5 the following:

6 “14. (a) It shall not be in order in a subcommittee
7 or committee to proceed to any legislative matter unless
8 the legislative matter and a final budget scoring by the
9 Congressional Budget Office for the legislative matter has
10 been publically available on the Internet as provided in
11 subparagraph (b) in searchable form 72 hours (excluding
12 Saturdays, Sundays and holidays except when the Senate
13 is in session on such a day) prior to proceeding.

14 “(b) With respect to the requirements of subpara-
15 graph (a)—

16 “(1) the legislative matter shall be available on
17 the official website of the committee; and

18 “(2) the final score prepared in accordance with
19 section 308(a) of the Congressional Budget Act of
20 1974 shall be available on the official website of the
21 Congressional Budget Office.

22 “(c) This paragraph may be waived or suspended in
23 the subcommittee or committee only by an affirmative vote
24 of $\frac{2}{3}$ of the Members of the subcommittee or committee.
25 An affirmative vote of $\frac{2}{3}$ of the Members of the sub-
26 committee or committee shall be required to sustain an

1 appeal of the ruling of the Chair on a point of order raised
2 under this paragraph.

3 “(d)(1) It shall not be in order in the Senate to pro-
4 ceed to a legislative matter if the legislative matter was
5 proceeded to in a subcommittee or committee in violation
6 of this paragraph.

7 “(2) This subparagraph may be waived or suspended
8 in the Senate only by an affirmative vote of $\frac{2}{3}$ of the
9 Members, duly chosen and sworn. An affirmative vote of
10 $\frac{2}{3}$ of the Members of the Senate, duly chosen and sworn,
11 shall be required in the Senate to sustain an appeal of
12 the ruling of the Chair on a point of order raised under
13 this subparagraph.

14 “(e) In this paragraph, the term ‘legislative matter’
15 means any bill, joint resolution, concurrent resolution,
16 conference report, or substitute amendment.”.

17 (b) SENATE.—Rule XVII of the Standing Rules of
18 the Senate is amended by inserting at the end thereof the
19 following:

20 “6. (a) It shall not be in order in the Senate to pro-
21 ceed to any legislative matter unless the legislative matter
22 and a final budget scoring by the Congressional Budget
23 Office for the legislative matter has been publically avail-
24 able on the Internet as provided in subparagraph (b) in
25 searchable form 72 hours (excluding Saturdays, Sundays

1 and holidays except when the Senate is in session on such
 2 a day) prior to proceeding.

3 “(b) With respect to the requirements of subpara-
 4 graph (a)—

5 “(1) the legislative matter shall be available on
 6 the official website of the committee with jurisdiction
 7 over the subject matter of the legislative matter; and

8 “(2) the final score prepared in accordance with
 9 section 308(a) of the Congressional Budget Act of
 10 1974 shall be available on the official website of the
 11 Congressional Budget Office.

12 “(c) This paragraph may be waived or suspended in
 13 the Senate only by an affirmative vote of $\frac{2}{3}$ of the Mem-
 14 bers, duly chosen and sworn. An affirmative vote of $\frac{2}{3}$
 15 of the Members of the Senate, duly chosen and sworn,
 16 shall be required in the Senate to sustain an appeal of
 17 the ruling of the Chair on a point of order raised under
 18 this paragraph.

19 “(d) In this paragraph, the term ‘legislative matter’
 20 means any bill, joint resolution, concurrent resolution,
 21 conference report, or substitute amendment.”.

22 **SEC. 2. PROTECTION OF CLASSIFIED INFORMATION.**

23 Nothing in this resolution or any amendment made
 24 by it shall be interpreted to require or permit the declas-
 25 sification or posting on the Internet of classified informa-

1 tion in the custody of the Senate. Such classified informa-
2 tion shall be made available to Members in a timely man-
3 ner as appropriate under existing laws and rules.

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